

## REMARKS

Claims 1-12 are pending and at issue.

Claims 1, 3-5, 7-10 and 12 are rejected as anticipated by JP 10-089870 to Nippon Light Metal ("Nippon"); claim 2 stands rejected as unpatentable over Nippon in view of JP 05-099581 to Tanaka et al ("Tanaka"); and claims 6 and 11 stand rejected as unpatentable over Nippon in view of U.S. Patent No. 4,860,822 to Sacks. Applicants respectfully traverse the rejections of claims 1-12 because it is believed the rejections are based upon a mischaracterization or misunderstanding of the disclosure of Nippon.

Specifically, each of the independent claims, claims 1, 8 and 12, recite a step of locating an assemblage of plate fins and tube runs on a supporting surface with the tube run edges contacting the supporting surface, and the fins above and out of contact with the supporting surface. This step is neither shown nor suggested in Nippon and none of the other references relied on in the rejection add anything in this regard. Accordingly, it is believed that the rejections of claims 1, 8 and 12 and their dependent claims are improper and should be withdrawn.

Furthermore, each of the independent claims recites a step of subjecting the assembly to a brazing temperature in the absence of brazing fixtures holding the tube runs and the fins in assembled relation. Again, this step is not shown or suggested in Nippon and none of the other references relied on in the rejection add

anything in this regard. Specifically, Nippon is silent with respect to brazing in the absence of brazing fixtures. Accordingly, for this additional reason alone, the rejections of claims 1, 8 and 12 and their dependent claims are improper and should be withdrawn.

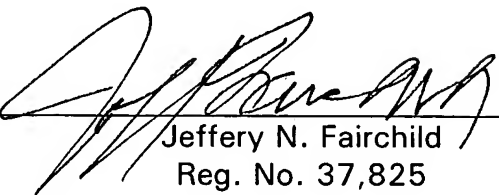
Additionally, claim 1 recites the step of subjecting the assembly to brazing temperatures . . . while the assembly is on the supporting surface. Again, this is neither shown nor suggested by Nippon and none of the other references relied on in the rejection add anything in this regard. Accordingly, for this additional reason alone, the rejection of claim 1 and its dependent claims is improper and should be withdrawn.

Finally, claims 8 and 12 recite a step including subjecting the assembly to brazing temperatures . . . for a time sufficient to allow the fins to settle under gravitational forces onto the tube runs. Again, it is believed that Nippon fails to disclose or suggest such a step. The other references relied on in the rejection add nothing in this regard. Accordingly, for this additional reason alone, the rejection of claims 8 and 12 and their dependent claims is improper.

In view of the foregoing, Applicants respectfully request reconsideration of the rejection of the claims and allowance of the case.

Respectfully submitted,

WOOD, PHILLIPS, KATZ,  
CLARK & MORTIMER

By   
Jeffery N. Fairchild  
Reg. No. 37,825

March 29, 2005

500 West Madison Street  
Suite 3800  
Chicago, IL 60661-2511  
(312) 876-1800